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d/b/a A&G Commercial Trucking*

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH**

<p>PRIME INSURANCE COMPANY,</p> <p style="text-align: center;">Plaintiff and Counterclaim Defendant,</p> <p>vs.</p> <p>GKD MANAGEMENT LP d/b/a A&G COMMERCIAL TRUCKING and GERALD WAYNE FIELDEN,</p> <p style="text-align: center;">Defendants and Counterclaimant.</p>	<p style="text-align: center;">STIPULATION AND JOINT MOTION FOR DISMISSAL WITHOUT PREJUDICE</p> <p>Case No: 2:21-cv-00493-TS-JCB</p> <p>District Court Judge Ted Stewart Magistrate Judge Jared C. Bennett</p>
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Pursuant to Rule 41(a)(2) of the *Federal Rules of Civil Procedure*, plaintiff Prime Insurance Company and defendant GKD Management LP d/b/a A&G Commercial Trucking (collectively, the “Parties”) hereby stipulate and agree that the Court should dismiss the above-captioned lawsuit without prejudice, each party to bear its own costs and attorneys’ fees. The parties in the underlying action have entered into a settlement agreement resolving that action, and the Parties agree that in light of that development, this insurance coverage lawsuit should be

dismissed without prejudice. Accordingly, the Parties jointly move the Court to enter an order of dismissal in the form submitted herewith.

RESPECTFULLY SUBMITTED this 5th day of November, 2021.

AMES & AMES, LLP

/s/ David J. Mahoney
(signed with permission obtained via email)
Byron L. Ames
David J. Mahoney
Attorneys for Plaintiff Prime Insurance Company

PARR BROWN GEE & LOVELESS, P.C.

/s/ Laura G. Kennedy
Stephen E. W. Hale
Laura G. Kennedy
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Commercial Trucking*

CERTIFICATE OF SERVICE

I hereby certify that on this 5th day of November, 2021, I caused a true and correct copy of the foregoing **STIPULATION AND JOINT MOTION FOR DISMISSAL WITHOUT PREJUDICE** to be electronically filed with the Court, which caused the following to be served via the Court's electronic filing system:

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